

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 11TH JULY 2007 / 20TH ASHADHA 1929

WP(C).No. 20434 of 2007(G)  
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PETITIONER:  
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THE BOARD OF DIRECTORS OF THE CHERTHALA  
AGRICULTURAL MARKETING AND PROCESSING CO-OPERATIVE  
SOCIETY LTD.NO.4218, CHERTHALA, REPRESENTED BY  
ITS CHAIRMAN, K.N.SYED MOHAMMED.

BY ADV. SRI.V.G.ARUN  
SRI.T.R.HARIKUMAR

RESPONDENTS:  
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1. THE REGISTRAR OF CO-OPERATIVE SOCIETIES,  
TRIVANDRUM.
2. THE JOINT REGISTRAR OF CO-OPERATIVE  
SOCIETIES (GENERAL), ALLEPPEY.
3. THE ASSISTANT REGISTRAR OF CO-OPERATIVE  
SOCIETIES (GENERAL), CHERTHALA.
4. THE SHERTHALAI AGRICULTURAL MARKETING  
AND PROCESSING CO-OPERATIVE SOCIETY LTD. NO.4218,  
SHERTHALAI, REPRESENTED BY ITS MANAGING DIRECTOR.
5. THE CO-OPERATIVE INSPECTOR,  
CHERTHALA UNIT, OFFICE OF THE ASSISTANT REGISTRAR  
OF CO-OPERATIVE SOCIETIES (GENERAL), CHERTHALA.

BY SPL. GOVT. PLEADER SMT. A.G. ANEETHA.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION  
ON 11/07/2007, THE COURT ON THE SAME DAY DELIVERED THE  
FOLLOWING:

**K.M.JOSEPH, J.**

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WP.(C) No.20434 of 2007  
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Dated this the 11th day of July, 2007

**JUDGMENT**

In this writ petition the prayers sought for are as follows:

- i) to declare that the present Board of Directors of the Cherthala Agricultural Marketing and Processing Co-operative Society Ltd. No.4218 is entitled to continue in the office till the expiry of their term.
- ii) to declare that the assumption of office by the 5<sup>th</sup> respondent as illegal and non-est and the same being contrary to the directions contained in Ext.P2 judgment.
- Iii) to initiate appropriate action against the respondents for violating the directions contained in Ext.P2 judgment.

2. By an interim order passed on 4.7.2007 this court had taken note of the submission of the learned Government Pleader to the effect that the order of supersession dated 2.7.2007 came to be passed without complying with Ext.P2 judgment as it was not produced before the second respondent. This court by an interim order directed handing over charge to the petitioner forthwith and there is also a further direction not to interfere with the affairs of the petitioner Society.

3. I heard Sri. T.R.Harikumar and learned Government Pleader. Sri.T.R.Harikumar points out that the interim order has been complied with and the petitioner has been put back in charge. In such circumstances, no further relief can be granted in this writ petition. Already a Contempt of Court Case is pending. Counsel for the petitioner submits that Exts.P4 and P5 objections have been filed to Section 65 report and Section 32 notice. Government Pleader submits that objections will be considered by the respondents.

I record this submission and the writ petition is disposed of as above.

(K.M. JOSEPH, JUDGE)

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